

151B.020 Education Cabinet -- Major organizational units -- Secretary.

- (1) The Education Cabinet is hereby created, which shall constitute a cabinet of the state government within the meaning of KRS Chapter 12. The cabinet shall consist of a secretary and those administrative bodies and employees as provided by law.
- (2) The cabinet, subject to the provisions of KRS Chapter 12, shall be composed of the major organizational units listed below, units listed in KRS 12.020, and other departments, divisions, and sections as are from time to time deemed necessary for the proper and efficient operation of the cabinet:
 - (a) The Department of Workforce Investment, which is hereby created and established within the Education Cabinet. The department shall be directed and managed by a commissioner who shall be appointed by the Governor under the provisions of KRS 12.040, and who shall report to the secretary of the Education Cabinet. The department shall be composed of the following offices:
 1. The Office of Career and Technical Education, which is created by KRS 151B.025;
 2. The Office of Vocational Rehabilitation, which is created by KRS 151B.185;
 3. The Office for the Blind established by KRS 163.470; and
 4. The Office of Employment and Training, which is created by KRS 151B.280;
 - (b) The Kentucky Technical Education Personnel Board established in KRS 151B.097; and
 - (c) The Unemployment Insurance Commission established by KRS 341.110.
- (3) The executive officer of the cabinet shall be the secretary of the Education Cabinet. The secretary shall be appointed by the Governor pursuant to KRS 12.255 and shall serve at the pleasure of the Governor. The secretary shall have general supervision and direction over all activities and functions of the cabinet and its employees and shall be responsible for carrying out the programs and policies of the cabinet. The secretary shall be the chief executive officer of the cabinet and shall have authority to enter into contracts, subject to the approval of the secretary of the Finance and Administration Cabinet, when the contracts are deemed necessary to implement and carry out the programs of the cabinet. The secretary shall have the authority to require coordination and nonduplication of services provided under the Federal Workforce Investment Act of 1998, 20 U.S.C. secs. 9201 et seq. The secretary shall have the authority to mandate fiscal responsibility dispute resolution procedures among state organizational units for services provided under the Federal Workforce Investment Act of 1998, 20 U.S.C. secs. 9201 et seq.
- (4) The secretary of the Education Cabinet and the secretary's designated representatives, in the discharge of the duties of the secretary, may administer oaths and affirmations, take depositions, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of books, papers, correspondence, memoranda, and other records considered necessary and relevant as evidence at hearings held in connection with the administration of the cabinet.
- (5) The secretary of the Education Cabinet may delegate any duties of the secretary's office to employees of the cabinet as he or she deems necessary and appropriate, unless otherwise prohibited by statute.

- (6) The secretary of the Education Cabinet shall promulgate, administer, and enforce administrative regulations that are necessary to implement programs mandated by federal law, or to qualify for the receipt of federal funds, and that are necessary to cooperate with other state and federal agencies for the proper administration of the cabinet and its programs except for programs and federal funds within the authority of the Council on Postsecondary Education, the Department of Education, the Kentucky Board of Education, and the Education Professional Standards Board.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 211, sec. 21, effective July 12, 2006. -- Amended 2003 Ky. Acts ch. 29, sec. 6, effective June 24, 2003; and ch. 31, sec. 2, effective June 24, 2003. -- Amended 2002 Ky. Acts ch. 300, sec. 2, effective July 15, 2002. -- Amended 2001 Ky. Acts ch. 38, sec. 2, effective June 21, 2001. -- Amended 2000 Ky. Acts ch. 156, sec. 2, effective July 14, 2000; and ch. 199, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 50, sec. 2, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 134, sec. 3, effective July 15, 1996; ch. 217, sec. 2, effective July 15, 1996; ch. 261, sec. 1, effective July 15, 1996; and ch. 271, sec. 5, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 469, sec. 6, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 395, sec. 1, effective July 14, 1992. -- Created 1990 Ky. Acts ch. 470, sec. 1, effective July 1, 1990.